

REMARKS

This responds to the Office Action mailed on October 25, 2005, and the references cited therewith.

No claims are amended, cancelled, or added; as a result, claims 1-96 remain pending in this application.

§103 Rejection of the Claims

Claims 1-13, 15-61, and 63-96 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Simpson et al. (U.S. Patent No. 6,549,894) and Schneider (U.S. Patent No. 6,549,894).

Simpson describes a legal matter docketing system in which a database stores data related to actions to be taken with respect to the legal matters, as well as dates associated with the actions. Simpson fails to describe a security module as is recited in the pending claims, or to incorporate other features of the pending claims such as managing such data via the Internet or restricting Internet access to such data.

Schneider describes a system in which online transmission size subscription information such as patent status is minimized by use of update data files that are indexed along with previously existing data. The records do not have an expiry time, but are time sensitive in that it is desired that a subscriber's patent database of public patent status information be up-to-date. More specifically, the records do not reflect pending legal matters such as patent applications or have associated due dates, and are not accessed via the Internet but are installed on a local subscriber machine and indexed before a subscriber is able to use the new data (*see, e.g.*, col. 5, ln. 6-9 and surrounding text).

In contrast, the claims of the present invention describe a system in which access to task and matter data is made available via the Internet, where access is managed via a security module operable to restrict Internet access to such data. Neither Simpson nor Schneider describe Internet-based management of data, as Simpson is entirely silent and Schneider discusses only receiving updates for a subscription and does not contemplate actual management of the data via the Internet as is recited in the pending claims.

Further, neither reference discusses a security module operable to restrict the ability for an Internet user to manage such data. Simpson discusses in the cited col. 5 that operation of a program running on a single computer can be restricted via a user verification screen such as that of Fig. 2, but use of security functions to “*restrict Internet access to patent application task and matter data management to selected system users*” is not discussed.

Applicant further objects to the taking of official notice, as the cited distribution of law firms is not an element of the pending claims and does not currently appear to be at issue. Should references showing each element of the pending claims be found at some point in prosecution, motivation for combination of the references can’t be taken from official notice or hindsight, but must be present in the references themselves. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, not in applicant’s disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991); MPEP § 2143. The Examiner must avoid hindsight. *In re Bond*, 910 F.2d 831, 834, 15 USPQ2d 1566, 1568 (Fed. Cir. 1990).

Because management of data such as matter and task data via the Internet is not contemplated in either reference, because no security module operable to restrict the ability to manage such data via the Internet is found in either reference, and because no motivation for combination of the references is found in the references themselves, applicant believes the pending claims are in condition for allowance. Reexamination and allowance of the claims is therefore respectfully requested.

CONCLUSION

Applicant respectfully submits that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney at (612) 349-9581 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

STEVEN W. LUNDBERG

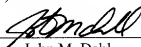
By his Representatives,

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.
P.O. Box 2938
Minneapolis, MN 55402
(612) 373-6976

Date

Mar. 27 06

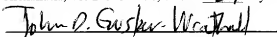
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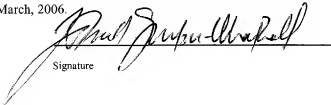
John M. Dahl

Reg. No. 44,639

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being filed using the USPTO's electronic filing system EFS-Web, and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 27 day of March, 2006.



Name



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